

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:08CV470-1-MU

STANFIELD KEY,

Petitioner,

v.

STATE OF NORTH CAROLINA,

Respondent.

ORDER

THIS MATTER comes before the Court upon the Petitioner's Petition for a Writ of Habeas Corpus and Petitioner's Application to Proceed Without Prepayment of Fees, both filed October 7, 2008.

A Petition for a Writ of Habeas Corpus requires a filing fee of \$5.00. After reviewing Petitioner's Application to Proceed Without Prepayment of Fees, the Court concludes that the Petitioner is unable to pay the filing fee. Accordingly, Petitioner's Application to Proceed Without Prepayment of Fees is granted.

In addition, after careful review of the motion and case file, the undersigned finds that the Attorney General should file an Answer detailing Petitioner's allegations and responding to each.

THEREFORE, IT IS HEREBY ORDERED that:

1. Petitioner's Application to Proceed Without Prepayment of Fees is **GRANTED**; and
2. No later than forty (40) days from the filing of this Order, the Attorney General shall file an Answer to Petitioner's Petition for Writ of Habeas Corpus, detailing Petitioner's allegations and responding to each.

Signed: October 16, 2008



Graham C. Mullen
United States District Judge

